

REMARKS

Claims 53-55, 57-63, 66-69, and 71-76 were pending and under consideration in the instant application. Claims 53 and 66 were amended to address claim rejections (see below). Claim 68 was amended to correct a typographical error that inadvertently removed the numeral “1” from one instance of the claim in the previous response. No new matter has been added by way of the amendments. Support for the amendments can be found in the specification and claims as originally filed, and the instant claims as originally presented. Applicants reserve the right to pursue the subject matter of the cancelled claims in this or a separate application.

Drawings

The drawings have been objected to because they fail to comply with 37 C.F.R. §1.84. Applicants thank the Examiner for the courtesy of a telephone conference on October 27, 2003 regarding the status of the drawings. As discussed, Applicants do not have a copy of Form PTO-948 which indicates the specific corrections required by the draftsman. Applicants note that the Examiner indicated that he would consider the instant response without the submission of formal drawings, and would issue a courtesy copy of Form PTO-948 to Applicants with the next official communication.

Specification

The disclosure has been objected to because the priority information had not been updated to reflect the changed status of priority application 09/067,615. Applicants have updated the priority information to reflect the fact that the priority application has issued as a patent.

Rejection of claims 53-55, 57-63, 66-69, and 71-76 under 35 U.S.C. § 112, first paragraph

Claims 53-55, 57-63, 66-69, and 71-76 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the claims have been rejected because, according to the Examiner, “the specification and claims as originally filed do not support the recitation of truncating only one of the alpha and beta chains and the recitation therefore constitutes new matter.” The Examiner has conceded that the

specification and claims as originally filed disclose single chain MHC Class II molecules where both the alpha and beta chain portions are truncated to delete the transmembrane domain.

In order to expedite prosecution, and without conceding to the validity of the rejection, Applicants have amended claims 53 and 66 to recite the truncation of both the alpha and beta chains of the single chain MHC molecule. Applicants submit that this limitation is supported by the specification and the claims as originally filed (as acknowledged by the Examiner) and does not constitute new matter. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 53-55, 57-63, 66-69, and 71-76 under 35 U.S.C. § 112, first paragraph.

Rejection of claims 53-55, 57-63, 66-69, and 71-76 under 35 U.S.C. § 112, first paragraph

Claims 53-55, 57-63, 66-69 and 71-76 have been rejected under 35 U.S.C. 112, first paragraph because, according to the Examiner,

the specification, while being enabling for truncated single chain MHC Class II molecules wherein both the alpha and beta chains have been truncated to render the single chain molecule soluble, does not reasonably provide enablement for single chain MHC Class II molecules wherein either the alpha or beta chain portion of the molecule has not been truncated to exclude the transmembrane and cytoplasmic domains.

In order to expedite prosecution, and without conceding to the validity of the rejection, Applicants have amended claims 53 and 66 to recite the truncation of both the alpha and beta chains of the single chain MHC molecule. Applicants submit that this limitation is enabled by the specification, as acknowledged by the Examiner. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 53-55, 57-63, 66-69, and 71-76 under 35 U.S.C. § 112, first paragraph.

CONCLUSION

It is believed the application is in condition for immediate allowance, which action is earnestly solicited. If a telephone conversation with Applicants' agent would expedite the prosecution of the above-identified application, the examiner is urged to call the undersigned at (617) 439-4444.

Respectfully submitted,



Jennifer K. Rosenfield (Reg. No. 53,531)
Intellectual Property Practice Group of
EDWARDS & ANGELL LLP
P.O. Box 9169
Boston, MA 02209
(617) 439-4444

Date: **October 29, 2003**